

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

HECTOR PACHECO-MORALES §
VS. § CIVIL ACTION NO. 1:21-cv-305
AARON TOMPKINS, ET AL. §

MEMORANDUM ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Hector Pacheco-Morales, a prisoner confined at the LeBlanc Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983.

The Court referred this matter to the Honorable Christine L. Stetson, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court. The magistrate judge recommends granting Plaintiff's Motion to Dismiss [Dkt. #11] and dismissing the action without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1).

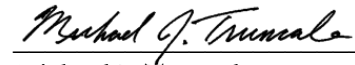
The Court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record and pleadings. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties. In response to the Report and Recommendation, Plaintiff filed a second Motion to Dismiss [Dkt. #14].

ORDER

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct, and the Report and Recommendation of United States Magistrate Judge [Dkt. #12] is ADOPTED.

Plaintiff's Motions to Dismiss are GRANTED. A final judgment will be entered in this case in accordance with the Magistrate Judge's recommendation.

SIGNED this 22nd day of November, 2021.

A handwritten signature in black ink, reading "Michael J. Truncala", is positioned above a horizontal line.

Michael J. Truncala
United States District Judge